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Kathie Rusk



"It's a list of our demands."

December, 1983

PRESIDENT'S REPORT

The following statements from Jack Finnbogason, President of CIEA, and Larry Kuehn, President of BCTF, provide a fairly clear summary of the results and the implications of the Operation Solidarity Strike. I would add two points: First, the FSA sees the letter of reprimand and the loss of holiday pay for November 11 as a form of reprisal and therefore inappropriate under the terms of settlement of the job action. We will be launching two grievances on these matters if there is no settlement of these issues as a result of informal discussions. Information regarding these grievances will be available through the shop stewards or in the next newsletter in January, 1984. Second, if there had been no Solidarity Coalition and no political protest we would be living with all of the legislation in close to its original form. Whatever dissatisfaction there may be with the outcome, take comfort in the fact that compromise was possible without a full-scale general strike. Take note as well that the struggle is not over until human rights and other social issues are addressed.

Members of the FSA are reminded of the decision to provide financial assistance to members undergoing extreme hardship as a result of the job action. Applications should be made through myself to the committee composed of Dorine Garibay, Kathy Davis, and Bob Smith.

Please pay careful attention to the Contract Committee's report in this newsletter. We are about to enter some very difficult and critical negotiations. If you have specific concerns or are willing to help in any way, contact George McGuire immediately. Watch for the January newsletter to discuss contract issues in more detail. There will be a general meeting in January to discuss negotiations.

CIEA MEMO

#201 - 640 West Broadway,
Vancouver, B.C. V5Z 1G4
Telephone - 872-8478

To: Presidents' Council Members

Date: 83.11.15

From: Jack Finnbogason,
President

Re: Settlement of Operation Solidarity Strike

I have included with my summary the text of Larry Kuehn's explanation of the terms of settlement to B.C.T.F. members.

Basically, I agree with the eight points he focuses on. I would, however, like to add the following emphasis:

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1. Funding

It is my understanding that the assurance of funding levels equal to 1983 applies to the post-secondary level as well as the public school level. This, of course, does not represent a major advance for us.

2. Arbitrary Dismissal/Layoffs/Seniority

As part of what really constituted trilateral negotiations, Mr. Kube, following conversations with Mr. Peck, submitted a range of contract articles covering job security matters, for approval. Included in this group was the Capilano College Collective Agreement articles to set a model for the college/institute sector. It was approved and will thus function as our precedent for winning exemption from the "without cause" provisions of Bill 3. Mr. Kube stated at Monday's Operation Solidarity meeting, "I don't think there is a union that won't get exemption from Bill 3."

(Mr. Peck's approval of these various contract articles did not include approval of severance pay as Mr. Kube had asked him not to rule on this single aspect as Operation Solidarity thought the levels of severance pay in some of the representative contracts were too low.)

3. Human Rights

I would just add to Larry's summary that, while I feel it's a hopeful sign that Bill 27 has been deferred, I think we all would like to have seen something more concrete here.

4. Labour Code

The B.C. Federation of Labour will have the right to appoint one of the three members of this advisory committee.

5. The restoration of C.I.P. grants needs no particular elaboration from me.

6. The "rent review process" to be established, while not equal to the Rentalsman system, will hopefully offer some tenant protection.

7. Social Services Advisory Committee

This committee will be of direct concern to us because education is one of the services that will be discussed. I will monitor this closely and keep you informed.

8. No Reprisals

This is a general guarantee and not written in specific language. Any public sector employer who attempts reprisals will face at least the "concern" of the B.C. Fed, one of the major partners in Operation Solidarity. If you learn of any threatened reprisals please let me know as soon as possible.

I would add the following which is of interest to most of our members.

9. Bill 2 is effectively gone. While not withdrawn, there is a tacit settlement that it will die on the order paper. You remember, of course, that Bill 2 had potential application for us.

10. The 1,600 threatened Bill 3 dismissals (B.C.G.E.U.) have been withdrawn. The government has agreed to manage the layoffs under the terms of the collective agreement. This is a victory for "due process" and should function as a precedent for the rest of the public sector.

11. An advisory committee has also been established to examine changes in the Workers' Compensation Board regulations, etc. The sitting cancelled in September to examine the whole issue of self-regulation has now been set up for January.

Finally, I should report two statements made by Mr. Kube at the Monday afternoon meeting.

- Any public sector union who incurred legal costs because of the strike can apply for assistance from Operation Solidarity. The application should be made to David Rice, Research Director, B.C. Federation of Labour.
- Any public sector union experiencing difficulties in their negotiations will be supported by Operation Solidarity. (It is not clear how this support will manifest itself.)

SUMMARY

I am aware that there is considerable disappointment in the Solidarity Coalition with the results of the settlement as the parts of it dealing with the repressive social legislation lack any firm commitment by the government. I am sympathetic to that concern but also feel there was some misunderstanding about what was actually on the table for negotiations. The public sector phased walkout was originally planned as primarily an attempt to defeat the intent of Bill 3. It was hoped other concessions could be won from the government, of course. What we were told by Operation Solidarity leaders was that in their estimation, the escalation would not have produced a very different settlement and would have led to a level of chaos less easy to control than that experienced in the first two weeks.

While it was not articulated at the meeting I also understand that the legal decisions rendered in relation to the protest were a cause of some worry. The B.C.T.F. had 10 injunctions granted out of 10 applications by School Boards and were facing another 35 when the walkout ended. The two decisions given by the Labour Board also were going to cause problems for us, as you well know.

Art Kube presented this as a "partial victory". Some people disagreed with him and I understand why they take that position. However, I feel it is fair to use Kube's description because:

- the government negotiated with Operation Solidarity about legislation that had been passed. This, in itself, is precedent-setting.
- the first trigger for this action was Bill 3. Along with Bill 2, it robbed employees of basic rights. The Solidarity strike has restored due process to public sector collective agreements.

It can only be seen as a "partial" victory because the other elements of the settlement fall short of what we had hoped for and parts of it are dependent on verbal contracts with a government which hasn't demonstrated "good faith" with us before.

I will simply close by echoing Larry Kuehn's statement at Monday's meeting: "I'm prepared to step back and give this government time to demonstrate their good faith."

Posted: Mon Nov 14, 1983 11:49 AM PST

From: TA.MYERS

To: ListX, ListB, W.Proc

Subj: News release

Msg: ZGEW-0745-9381

This is the text of a news release issued by the federation at 11:30 a.m. Monday, November 14:

Teachers have made significant gains in the tentative resolution of the Operation Solidarity strike, Larry Kuehn, president of the B.C. Teachers' Federation, said today.

These gains include a major reduction in the slashing of education budgets for 1984 and a process for protecting teachers from arbitrary firing.

In addition, Kuehn said, teachers will share the benefits of an easing of the government's proposed changes in social and labor legislation.

Finally, he said, the teachers have found a strength they never knew they possessed.

Kuehn made his comments as teachers returned to the classrooms today after a province-wide strike that began last Tuesday.

The strike -- along with those of other members of Operation Solidarity -- was suspended after Premier Bennett made a series of oral commitments Sunday to Solidarity representative Jack Munro, first vice-president of the B.C. Federation of Labor.

"I think teachers will be reasonably satisfied with the tentative settlement," Kuehn said. "We didn't get everything we hoped for, and it will take vigilance to ensure that the government follows through on commitments that have been made."

"But we have been able to achieve considerable protection for the school system and for teachers who may face loss of their jobs in the years ahead."

Kuehn said he has been assured that the Bennett-Munro talks in Kelowna produced commitments on these points:

1. Funding for the education system for 1984 will be maintained at a level close to the current one. The government had planned to cut \$27 million from school budgets in 1984, in the first year of a three-year program that would, in effect, have cut budgets by 25 per cent from 1983 levels.
2. Kuehn said much of the funding to be restored to the school system will come from the government's "savings" as a result of the teachers' strike. He said this will amount to \$18-20 million. The money will not be returned to provincial general revenues as had been previously announced.
3. The government will recommend that all school boards negotiate with their teachers seniority, job security and severance pay clauses to exempt teachers from the arbitrary termination procedures of Bill 3. A model clause has been negotiated and ratified by the North Vancouver Teachers' Association and their school board, and approved by Compensation Stabilization Commissioner Ed Peck.
4. The government will establish an advisory committee to take submissions, and make recommendations to the government on human rights legislation. This committee will include members of organizations concerned with human rights, rather than cabinet ministers or bureaucrats.
5. A similar committee will be set up to advise on labor legislation. It has been expected that the government would soon introduce major changes to the B.C. Labour Code.
6. Community Improvement Program grants will be restored to handicapped people who assist in a variety of community projects. The grants will be maintained through 1984.
7. Action will be taken to develop a rent review process to replace the rentalsman's office, which is being abolished under government legislation.
8. A process of consultation will be set up on appropriate levels and delivery of social services.
9. The government will make no reprisals against its own employees and will urge other public-sector employers to refrain from reprisals.

"This strike has been a traumatic one for teachers, as it has for everyone in B.C.," Kuehn said. "We were reluctant to take such drastic action, but we knew it was necessary."

"British Columbians now know that their teachers have the resolve necessary to stand up in defence of education and of their own careers."

"We hope this strike is now settled. The government now has a period of time in which to live up to the premier's commitments."

"If it does not, we will be ready, along with other Solidarity members, to take whatever further action is necessary to bring about a just resolution of this dispute."

COLLEGE-WIDE PD DAY: Planning is in process for College-Wide PD Day to take place as usual in March. Rory Wallace, as your PD Day Liaison on the Joint Committee, is seeking your input; please communicate your ideas to him as quickly as possible.

As coordination and implementation of PD Day has proved to be an onerous task for volunteers in past years, the Committee has decided to contract out these responsibilities to Contract Services for this year only, on a trial basis.

PD SUBSTITUTION FUNDS: If you require a substitute to replace you while you are pursuing a PD activity, funds are available. Application for substitute funding should be made to your divisional allocations committee on the back of the PD Application form.

REPORT FROM THE NEGOTIATING COMMITTEE

The full committee has now been formed, and consists of the following members: Judy Inouye, Brian Talarico, Alan Davis, Bob Smith, Cheryl Pohl, Mary Saunders, Diane Luu, Georgina Marshall, and George McGuire. If any member wishes to communicate their concerns about the upcoming negotiations, then any one of the above committee members should be contacted.

Although the job action has delayed our work, we have met twice as a full committee, with one more meeting scheduled before Christmas. The committee will be requesting action from the College Board in a number of areas. We are working on clauses dealing with: layoff protection, benefits, productivity, type B and C contracts, and salary. Also, we are working clarifying the intent of some of the clauses in our collective agreement.

We hope to meet with the College Board as soon as possible after the holidays.

The Negotiating Committee wishes to extend to everyone a merry Christmas and bountiful New Year.

George McGuire

JOINT PD COMMITTEE REPORT

FSA REPRESENTATIVES: Your FSA representatives on the JPDC for 1983/84 are Rory Wallace, Sue Clifton, Lori Moren, and Perla Werk. Rory and Sue were elected last year and are serving the second year of a two-year term; Perla and Lori were elected this year and will be serving to the end of the 1984/85 term.

JOINT PD COMMITTEE REPORT, continued

REVIEW OF THE PD PROCESS: During the coming year, the Joint Committee will be conducting an overall review of the PD process at this institution. It was felt that as the College has been operating its PD activities in the same manner for the past several years, a review at this time might be of value to ensure that the activity is being carried on in the most effective manner possible. Further information on this matter will be provided in future issues of this newsletter. If you have any questions or comments in the meantime, please communicate them to your representatives.

Judy Inouye

GRIEVANCE COMMITTEE REPORT

The 1983/84 Shop Stewards have been elected to office. If you have questions regarding interpretation or possible violation of the collective agreement, the following people are your FSA representatives:

<u>AREA</u>	<u>NAME</u>	<u>CONTACT NUMBER</u>
Grievance Chairperson	Georgina Marshall	Abbotsford, Local 232
Business Office, East		
Business Office, West	Alan Stokes	Abbotsford, Local 218
Continuing Education	Sharon Skidmore	Mission, 826-9544
Learning Resources Centre	Diane Nosaty	Chilliwack, Local 470
Student Services		
Vocational	Richard Janssen	Portage, Local 469
Developmental Studies	Perla Werk	Chilliwack, Local 451
Arts & Applied Arts	Wendy Burton	Chilliwack, Local 434
Science & Applied Science	Bob Smith	Chilliwack, Local 453

The two areas without stewards will be represented by myself until we can find people to fill these positions.

This list of stewards will be posted throughout the campuses and regional offices as a reminder that we are here to be of assistance. Remember that your steward is the two-way communication link between yourself and the employer, and between you and the union executive.

With negotiations around the corner, the stewards will now be soliciting input from the membership for the Contract Committee. If you have suggestions for negotiations content, NOW is the time to inform George McGuire or your shop steward.

Georgina Marshall

JOB CLASSIFICATION AUDIT COMMITTEE REPORT

During the spring the JCAC struck a sub-committee, the Job Classification Review Committee, to review our present point system. Several consultants were invited to submit proposals; these were all too costly (our budget is \$2,500). Peat Marwick was chosen to assist us with identifying and resolving problems within our system.

The JCRC recommended several changes in the factor wording and proposed additional degrees in the Effort Factor. A copy of the revised factor system is available from all JCAC members. Presently the JCAC is reviewing all the labour positions using the revised Job Evaluation Point System.

Should you have any questions, please contact: Richard Heyman, Isabelle Lee, Eva Korelus, or Varlene Macleod (trainee).

Eva Korelus

AGREEMENTS COMMITTEE REPORT

An agreement has been signed that allows "C" contract faculty to have access to professional development.

Don't forget the FSA/Management Xmas Party, Friday - PLEASE ATTEND